

US EPA ARCHIVE DOCUMENT

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program in the rest of the District is June 25, 1984.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9413, Mar. 6, 1991]

§ 147.452 Aquifer exemptions. [Reserved]

Subpart K—Florida

§ 147.500 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV, and V wells in the State of Florida, except for those on Indian lands is administered by the Florida Department of Environmental Regulations, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on February 7, 1983 (48 FR 5556); the effective date of this program is March 9, 1983. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Florida. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Florida Air and Water Pollution Control Act, Florida Statutes Annotated sections 403.011 through 403.90 (1973 and Supp. 1983);

(2) Chapter 17-28, Underground Injection Control, Florida Administrative Code (April 27, 1989).

(b) *Other laws.* The following statutes and regulations although not incorporated by reference, also are part of the approved State-administered program:

(1) Administrative Procedures Act, Florida Statutes Chapter 120;

(2) Florida Administrative Code, Chapter 17-1 (1982) (Administrative Procedures Act);

(3) Florida Administrative Code, Chapter 17-3 (1982) (Water Quality Standards);

(4) Florida Administrative Code, Chapter 17-4 (1982) (Permits);

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(5) Florida Administrative Code, Chapter 28-5 (1982) (Decisions Determining Substantial Interests);

(6) Florida Administrative Code, Chapter 28-6 (1982) (Licensing);

(c) The Memorandum of Agreement between EPA Region IV and the Florida Department of Environmental Regulation, signed by the EPA Regional Administrator on March 31, 1983.

(d) *Statement of legal authority.* (1) "Statement of Legal Authority for Implementation of Underground Injection Control Program" and accompanying certifications, signed by General Counsel for the Florida Department of Environmental Regulation, January 14, 1982;

(2) "Addendum to Statement of Legal Authority for Implementation of Underground Injection Control Program" and accompanying certifications, signed by Acting General Counsel for the Florida Department of Environmental Regulation, September 20, 1982.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 53 FR 43087, Oct. 25, 1988; 56 FR 9414, Mar. 6, 1991]

§ 147.501 EPA-administered program—Class II wells and Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands and for Class II wells on non-Indian lands in the State of Florida is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for Indian lands in Florida is November 25, 1988. The effective date for Class II wells on non-Indian lands is December 30, 1984.

[53 FR 43087, Oct. 25, 1988, as amended at 56 FR 9414, Mar. 6, 1991]

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§ 147.502 Aquifer exemptions. [Reserved]

§ 147.503 Existing Class II (except enhanced recovery and hydrocarbon storage) wells authorized by rule.

Maximum injection pressure. To meet the operating requirements of § 144.28(f)(3)(i) of this chapter, the owner or operator shall use an injection pressure at the well head no greater than the pressure calculated using the following formula:

$$P_m = (0.733 - 0.433 S_g)d$$

where:

P_m =injection pressure at the well head in pounds per square inch

S_g =specific gravity of injected fluid (unitless)

d =injection depth in feet.

[49 FR 45306, Nov. 15, 1984]

§ 147.504 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of § 144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the field or formation in which the well is located. The Regional Administrator shall establish such a maximum pressure after notice, opportunity for comment and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter, and will inform owners and operators in writing of the applicable maximum pressure; or

(ii) May inject at pressure greater than those specified in paragraph (a)(1)(i) of this section for the field or formation in which he is operating provided he submits a request in writing to the Regional Administrator, and demonstrates to the satisfaction of the Regional Administrator that such injection pressure will not violate the requirement of § 144.28(f)(3)(ii) (A) and (B). The Regional Administrator may grant such a request after notice, opportunity for comment, and opportunity for a public hearing, according to the provisions of part 124, subpart A of this chapter.

(2) Prior to such time as the Regional Administrator establishes rules for maximum injection pressure based on data provided pursuant to paragraph (a)(2)(ii) of this section the owner or operator shall:

(i) Limit injection pressure to a value which will not exceed the operating requirements of § 144.28(f)(3)(ii); and

(ii) Submit data acceptable to the Regional Administrator which defines the fracture pressure of the formation in which injection is taking place. A single test may be submitted on behalf of two or more operators conducting operations in the same formation, if the Regional Administrator approves such submission. The data shall be submitted to the Regional Administrator within 1 year of the effective date of this program.

(b) *Casing and cementing.* Where the Regional Administrator determines that the owner or operator of an existing enhanced recovery or hydrocarbon storage well may not be in compliance with the requirements of §§ 144.28(e) and 146.22, the owner or operator shall, when required by the Regional Administrator:

(1) Protect USDWs by:

(i) Cementing surface casing by recirculating the cement to the surface from a point 50 feet below the lowermost USDW; or

(ii) Isolating all USDWs by placing cement between the outermost casing and the well bore; and

(2) Isolate any injection zones by placing sufficient cement to fill the calculated space between the casing and the well bore to a point 250 feet above the injection zone; and

(3) Use cement:

(i) Of sufficient quantity and quality to withstand the maximum operating pressure;

(ii) Which is resistant to deterioration from formation and injection fluids; and

(iii) In a quantity no less than 120% of the calculated volume necessary to cement off a zone.

(4) Comply with other requirements which the Regional Administrator may specify either in addition to or in lieu

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of the requirements set forth in paragraphs (b)(1) through (3) of this section as needed to protect USDWs.

(c) *Area of review.* Notwithstanding the alternatives presented in §146.06 of this chapter, the area of review shall be a minimum fixed radius as described in §146.06(b) of this chapter.

(The information collection requirements contained in paragraph (a)(2)(ii) were approved by the Office of Management and Budget under control number 2040-0042)

[49 FR 45306, Nov. 15, 1984]

Subpart L—Georgia

§ 147.550 State-administered program.

The UIC program for all classes of wells in the State of Georgia, except those wells on Indian lands, is the program administered by the Georgia Department of Natural Resources, Environmental Protection Division approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on April 19, 1984 (49 FR 15553); the effective date of this program is May 21, 1984. This program consists of the following elements, as submitted to EPA in the State's program application:

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of Georgia. This incorporation by reference was approved by the Director of the OFR in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Georgia Department of Natural Resources, Environmental Protection Division, 270 Washington Street, SW., Atlanta, Georgia, 30334. Copies may be inspected at the Environmental Protection Agency, Region IV, 345 Courtland Street, NE., Atlanta, Georgia, 30365, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(1) Oil and Gas and Deep Drilling Act of 1975, Official Code of Georgia Annotated (O.C.G.A.) §§12-4-40 through 12-4-53 (1988);

(2) Ground Water Use Act of 1972, O.C.G.A. §§12-5-90 through 12-5-107 (1988);

(3) Water Well Standards Act of 1985, O.C.G.A. §§12-5-120, through 12-5-138 (1988);

(4) Georgia Administrative Procedure Act, O.C.G.A. §§50-13-1 through 50-13-22 (Reprinted from the O.C.G.A. and 1988 Cum. Supp.);

(5) Georgia Water Quality Control Act, O.C.G.A. §§12-5-20 through 12-5-53 (1988);

(6) Georgia Hazardous Waste Management Act, O.C.G.A. §§12-8-60 through 12-8-83 (1988);

(7) Georgia Safe Drinking Water Act of 1977, O.C.G.A. §§12-5-170 through 12-5-193 (1988);

(8) Rules of Georgia Department of Natural Resources, Environmental Protection Division, Water Quality Control, GA. COMP. R. & REGS. Chapter 391-3-6-.13 (Revised July 28, 1988).

(b) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region IV and the State of Georgia, signed March 1, 1984.

(c) *Statement of legal authority.* (1) Unofficial Opinion of the Georgia Attorney General, Op. Atty. Gen. 080-24, June 12, 1980;

(2) Underground Injection Control Program, Attorney General's Statement, February 4, 1982;

(3) Amended Attorney General's Statement Relating to Authority of the State of Georgia to Implement an Underground Injection Control Program, April 22, 1983;

(4) Letter to EPA Office of General Counsel from Senior Assistant Attorney General "Re: State UIC Program", July 13, 1983.

(d) *Program Description.* The Program Description and any other materials submitted as part of the application or as supplements thereto.

[56 FR 9414, Mar. 6, 1991; 56 FR 14150, Apr. 5, 1991]